

MONDAY, MAY 1, 2000

SEVENTY-THIRD LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Kathy A. Leslie, Jubilee Christian Center, Nashville, Tennessee.

Representative Langster led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Bunch; family death.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 2671: Rep(s). Bone as prime sponsor(s).

House Bill No. 3072: Rep(s). Caldwell and S. Jones as prime sponsor(s).

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MESSAGE FROM THE SENATE

April 14, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1542; also, House Joint Resolution(s) No(s). 519, 539, 579, 581, 582, 583, 584, 585, 587, 588, 590, 592, 594 and 611; signed by the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

April 17, 2000

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 283, 1542, 2116, 2293, 2846; also, House Joint Resolution(s) No(s). 87, 519, 539, 579, 581, 582, 583, 584, 585, 587, 588, 590, 592, 594, and 611.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

April 25, 2000

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 283, 2116, 2293, 2846, also, House Joint Resolution(s) No(s). 87, 519, 539, 579, 581, 582, 583, 584, 585, 587, 588, 590, 592, 594 and 611; with his approval.

MICHELLE LONG, Counsel to the Governor.

ENROLLED BILLS

April 25, 2000

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 876.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

April 26, 2000

The Speaker signed the following: House Bill(s) No(s). 876.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 26, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 876; signed by the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

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REPORT OF CHIEF ENGROSSING CLERK

April 26, 2000

The following bill(s) have been transmitted to the Governor for his action: House Bill(s) No(s). 876.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

COMMUNICATION

April 26, 2000

The Honorable Don Sundquist
Governor
State of Tennessee
State Capitol
Nashville, Tennessee 37243

Dear Governor Sundquist:

I am herewith transmitting House Bill No. 876/Senate Bill No. 844, Public Chapter No. 643, re-enrolled bill.

The incorrect version of House Bill No. 876 was transmitted to the Governor's office on March 31, 2000. Due to a Clerk error the Senate Amendment No. 2, was not enrolled in the bill, which deletes the text of the bill in its entirety and substitutes instead the attached corrected bill that passed both houses.

We apologize for the error and submit to you under Article III, Section 18 of the Tennessee Constitution the corrected enrolled version of House Bill No. 876, for your consideration.

Sincerely,

Betty Kay Francis
Chief Engrossing Clerk of the House

ENROLLED BILLS

April 26, 2000

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 1960.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED
April 26, 2000**

The Speaker signed the following: House Bill(s) No(s). 1960.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
April 26, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1960; signed by the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK
April 26, 2000**

The following bill(s) have been transmitted to the Governor for his action: House Bill(s) No(s). 1960.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR
April 26, 2000**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 1542, with his approval.

MICHELLE LONG, Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR
May 1, 2000**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 876 and 1960, with his approval.

MICHELLE LONG, Counsel to the Governor.

**MESSAGE FROM THE SENATE
May 1, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 767; adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

Senate Joint Resolution No. 767 -- Naming and Designating - Casey Jones Day, April 30, 2000. by *Carter.

MESSAGE FROM THE SENATE
May 1, 2000

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 616, 624, 667, 688 and 754; all adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

Senate Joint Resolution No. 616 -- Naming and Designating - "Community Action Month," May 2000. by *Crowe, *Dixon.

***Senate Joint Resolution No. 624** -- Memorials, Government Officials - Urges Tennessee historical commission erect historical marker to designate location of former home of William Edmondson. by *Harper, *Dixon.

***Senate Joint Resolution No. 667** -- Memorials, Government Officials - Urges commissioner of health to develop quality care incentive plan for Medicaid-participating nursing homes and submit necessary legislation to implement such plan. by *Womack.

***Senate Joint Resolution No. 688** -- General Assembly, Directed Studies - Requests select oversight committee on education to study and assess impact of English as Second Language (ESL) students on teacher effect data in value-added assessment system. by *Dixon.

Senate Joint Resolution No. 754 -- Memorials, Retirement - General William B. Raines, Jr. by *Crutchfield, *Fowler, *Williams.

PERSONAL ORDERS

RULES SUSPENDED

Rep. Pruitt moved that the rules be suspended for the purpose of introducing House Resolution No. 203 out of order, which motion prevailed.

House Resolution No. 203 -- Naming and Designating - Tennessee Osteoporosis Prevention Month, May 2000. by *Pruitt.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Pruitt, with the request that all members voting aye be added as sponsors, the resolution was adopted.

A motion to reconsider was tabled.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Joint Resolution No. 620** -- Memorials, Congress - Urges reauthorization of Surface Mining Control and Reclamation Act through 2010; urges that all funds collected for Rural Abandoned Mine Program be appropriated directly to USDA to ensure such funds are utilized for reclamation purposes. by *Lewis, *Rhinehart, *Ferguson, *Stulce, *Curtiss, *Winningham, *Sharp, *Goins, *Baird, *Caldwell, *Windle, *Fraleigh, *Wood, *Hargrove, *McAfee, *Walker (Rhea).

House Finance, Ways and Means Committee

***House Joint Resolution No. 622** -- General Assembly, Studies - Creates special joint committee to study food service inspection programs and associated fees. by *Arriola.

House Health and Human Resources Committee

***House Joint Resolution No. 628** -- General Assembly, Statement of Intent or Position - Supports National Union of American Families in efforts to improve quality of life for families by establishing local community unions. by *Cooper B.

House Finance, Ways and Means Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for May 4, 2000:

House Resolution No. 202 -- Memorials, Recognition - 30th Anniversary, Shelby State Community College. by *Bowers, *Kent, *Hargett.

House Joint Resolution No. 623 -- Memorials, Personal Occasion - Mr. and Mrs. James and Ruby Essary, 50th Wedding Anniversary. by *Goins.

House Joint Resolution No. 624 -- Memorials, Academic Achievement - Allison Rosenbalm, Valedictorian, Claiborne County High School. by *Goins.

House Joint Resolution No. 625 -- Memorials, Academic Achievement - Amber Leigh Brooks, Valedictorian, Claiborne County High School. by *Goins.

House Joint Resolution No. 626 -- Memorials, Academic Achievement - Allen Miller, Salutatorian, Claiborne County High School. by *Goins.

House Joint Resolution No. 627 -- Memorials, Recognition - First Presbyterian Church of Lebanon, 90th anniversary. by *Bone.

House Joint Resolution No. 629 -- Memorials, Retirement - Tim Sloan. by *Naifeh.

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House Joint Resolution No. 630 -- Memorials, Interns - Kathy Ann Sittloh. by *Beavers.

House Joint Resolution No. 631 -- Memorials, Personal Occasion - Mr. And Mrs. Ernest L. McKinney, 50th Wedding Anniversary. by *Patton.

House Joint Resolution No. 632 -- Memorials, Academic Achievement - Katherine Elizabeth Whitfield, Valedictorian, Oakland High School. by *Beavers.

House Joint Resolution No. 633 -- Memorials, Academic Achievement - Elizabeth Ann Holt, 2000 Valedictorian, Eagleville High School. by *Beavers.

House Joint Resolution No. 634 -- Memorials, Academic Achievement - Heath Hardin, Valedictorian, Smyrna High School. by *Beavers.

House Joint Resolution No. 635 -- Memorials, Academic Achievement - Kathy Drake, Salutatorian, Smyrna High School. by *Beavers.

House Joint Resolution No. 636 -- Memorials, Academic Achievement - Heidi Elisa Osterheld, Salutatorian, Smyrna High School. by *Beavers.

House Joint Resolution No. 637 -- Memorials, Academic Achievement - Kathryn Marie Long, Valedictorian, Oakland High School. by *Beavers.

House Joint Resolution No. 638 -- Memorials, Academic Achievement - Nicole Rigsby, 2000 Eagleville High School Salutatorian. by *Beavers.

House Joint Resolution No. 639 -- Memorials, Academic Achievement - Susan Renee Miller, 2000 Valedictorian, Murfreesboro Oakland High School. by *Beavers.

House Joint Resolution No. 640 -- Memorials, Academic Achievement - Elizabeth McFarlin, 2000 Salutatorian, Oakland High School. by *Beavers.

House Joint Resolution No. 641 -- Memorials, Academic Achievement - Cason Shirley, Valedictorian, Oakland High School. by *Beavers.

House Joint Resolution No. 642 -- Memorials, Academic Achievement - Amanda Michelle Frazier, Salutatorian, Smyrna High School. by *Beavers.

House Joint Resolution No. 643 -- Memorials, Academic Achievement - Virginia Lowery, Valedictorian, Oakland High School. by *Beavers.

House Joint Resolution No. 644 -- Memorials, Sports - Bradford High School girls' basketball team, TSSAA Class A state champions. by *Phelan.

House Joint Resolution No. 645 -- Memorials, Academic Achievement - Benjamin Patrick Persons, Valedictorian, Oakwood High School. by *Beavers.

House Joint Resolution No. 646 -- Memorials, Academic Achievement - Tamara Paige Sweeney, Valedictorian, La Vergne High School. by *Beavers.

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House Joint Resolution No. 647 -- Memorials, Academic Achievement - Michelle Gourley, Valedictorian, LaVergne High School. by *Beavers.

House Joint Resolution No. 648 -- Memorials, Academic Achievement - Nichole Dassance, Valedictorian, LaVergne High School. by *Beavers.

House Joint Resolution No. 649 -- Memorials, Academic Achievement - Ashley Lysette Rundall, Valedictorian, Riverdale High School. by *Beavers.

House Joint Resolution No. 650 -- Memorials, Death - Commissioner Claude Lott. by *Walley.

House Joint Resolution No. 651 -- Memorials, Death - Quinten Newman. by *Walley.

House Joint Resolution No. 652 -- Memorials, Sports - Unified Martial Arts of Sparta. by *Curtiss.

House Joint Resolution No. 654 -- Memorials, Academic Achievement - Corey James Willis, Valedictorian, Spring Hill High School. by *Sands.

House Joint Resolution No. 655 -- Memorials, Academic Achievement - Robyn Brooke Boshers, Valedictorian, Columbia Central High School. by *Sands.

House Joint Resolution No. 656 -- Memorials, Academic Achievement - Emily Brooke Wade, Valedictorian, Mt. Pleasant High School. by *Sands.

House Joint Resolution No. 657 -- Memorials, Academic Achievement - Matthew Steven Patterson, Valedictorian, Culleoka School. by *Sands.

House Joint Resolution No. 658 -- Memorials, Retirement - Eloise Harlan Cheatham. by *Sands.

House Joint Resolution No. 659 -- Memorials, Recognition - Elizabeth Wiggins. by *Hargrove.

House Joint Resolution No. 660 -- Memorials, Recognition - The Jennings A. Jones College of Business. by *Hood, *Williams (Williamson), *Fraleigh, *Sands, *Fowlkes, *Eckles.

House Joint Resolution No. 661 -- Memorials, Recognition - "Bass Annie" Company. by *Cooper B, *Towns, *Brooks, *Turner (Shelby), *Chumney, *Jones U (Shelby), *DeBerry J, *Miller L.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for May 4, 2000:

Senate Joint Resolution No. 754 -- Memorials, Retirement - General William B. Raines, Jr. by *Crutchfield, *Fowler, *Williams.

RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

***Senate Joint Resolution No. 636** -- Memorials, Government Officials - Urges University of Tennessee board of trustees and department of transportation to cease with plans to construct four-lane connector for automobiles between UT Knoxville agricultural campus and main campus. by *Burchett, *Williams.

House Finance, Ways and Means Committee

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 3319 -- Oakdale - Subject to local approval, revises charter to change date of next general election from August 2000 to August 2002; and extends term of two aldermen until election. Amends Chapter 51 of the Private Acts of 1995. by *Windle.

House Bill No. 3321 -- Cookeville - Subject to local approval, clarifies provisions regarding regional medical center authority relative to board; rights, powers and obligations; retirement benefits; and property. Amends Chapter 49 of the Private Acts of 1999. by *Hargrove.

DELAYED BILLS REFERRED

April 26, 2000

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 3320, was/were referred to the Delayed Bills Committee.

House Bill No. 3320 -- State Government - Makes various changes to improve efficiencies and revenues of various entities of state government. Amends TCA Title 4; Title 8; Title 9; Title 16; Title 17; Title 18; Title 37; Title 38; Title 39; Title 40; Title 41 and Title 67. by *Buck. (*SB3299 by *Person, *Fowler)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 3317 -- Knox County -- Local Bill Held on House Desk

House Bill No. 3318 -- McMinn County -- Local Bill Held on House Desk

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 25, 2000**, reported the following:

COMMERCE

The Commerce Committee recommended for passage: House Bill(s) No(s). 2390, 2452; also House Bill(s) No(s). 2563, 3058, and House Joint Resolution(s) No(s). 567 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 3241 and 2847 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

EDUCATION

The Education Committee recommended for passage: House Bill(s) No(s). 2845, 2670, House Joint Resolution(s) No(s). 589, Senate Joint Resolution(s) No(s). 620, also House Bill(s) No(s). 3149 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2721, 2737; also House Bill(s) No(s). 3180 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 26, 2000**, reported the following:

JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 2253, 2188, 3062, also House Bill(s) No(s). 2672, 2160, 2503, 2187, 2970, 2769, 3170, 3239 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2151, 2803, 2649; also House Bill(s) No(s). 840, 1548 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 27, 2000**, reported the following:

JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 2120, also House Bill(s) No(s). 2955, 2113 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 923; also House Bill(s) No(s). 3070 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

CONSENT CALENDAR

House Bill No. 2671 -- Holidays and Days of Special Observance - Workers Memorial Day, every April 28, to commemorate workers who have been killed or injured on the job. Amends TCA Title 15, Chapter 2. by *Givens, *West, *Pleasant, *Jones U (Shelby), *Miller L, *Kent. (*SB2319 by *Cooper, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, P, *Wilder, *Williams, *Womack)

On motion, House Bill No. 2671 was made to conform with **Senate Bill No. 2319**; the Senate Bill was substituted for the House Bill.

House Joint Resolution No. 435 -- Naming and Designating - H.R. Lovell, official Tennessee Artist in Residence. by *Jackson.

House Bill No. 2429 -- Sunset Laws - Extends Tennessee child care facilities corporation, June 30, 2002. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 37. by *Kernell, *Garrett, *Brooks. (*SB2099 by *Springer, P, *Dixon)

House Joint Resolution No. 558 -- Memorials, Government Officials - Urges department of children's services to evaluate and implement changes to improve efficiency of Child Protective Investigative Teams (CPITs). by *Fowlkes, *Ridgeway, *Harwell, *Turner (Hamilton), *Armstrong, *Chumney, *Givens, *Jones, S., *Whitson.

House Bill No. 2582 -- Employees, Employers - Allows employee who prevails in cause of action against employer for retaliatory discharge to recover reasonable attorney fees and costs. Amends TCA Section 50-1-304. by *Briley. (*SB2199 by *Cohen)

On motion, House Bill No. 2582 was made to conform with **Senate Bill No. 2199**; the Senate Bill was substituted for the House Bill.

House Bill No. 2684 -- Domestic Violence - Creates separate offense of domestic assault, defined as assault committed against a family or household member and punished the same as assault. Amends TCA Title 39, Chapter 13, Part 1. by *Garrett, *Todd. (*SB2936 by *Haynes)

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House Bill No. 2818 -- Education - Includes "state board of education acting on behalf of any special school" as local government for purposes of state school bond authority; allows state board of education and state funding board to jointly enter into loan agreement with state school bond authority. Amends TCA Titles 4, 9; 49, 67 & 68. by *Kisber. (*SB2634 by *Henry, *Dixon)

On motion, House Bill No. 2818 was made to conform with **Senate Bill No. 2634**; the Senate Bill was substituted for the House Bill.

***House Joint Resolution No. 575** -- General Assembly, Directed Studies - Requests TACIR to study staffing in offices of property assessors. by *Buck.

House Bill No. 3315 -- Smithville - Subject to local approval, revises charter concerning age and salary of mayor; municipal powers; and rehiring or reappointment of employees and appointed officials. Amends Chapter 486 of the Private Acts of 1941; as amended. by *Buck. (SB3300 by *Burks)

House Resolution No. 200 -- Memorials, Retirement - Chancellor Chester Rainwater. by *Roach, *Montgomery.

House Joint Resolution No. 621 -- Naming and Designating - Jett Williams Appreciation Day, May 18, 2000. by *Winningham, *Buck.

Senate Joint Resolution No. 719 -- Naming and Designating - "Police Memorial Day," May 15, 2000; "Police Memorial Week," May 14-20, 2000. by *Burks, *Graves.

Senate Joint Resolution No. 727 -- Memorials, Retirement - Jerry Benefield, President and CEO of Nissan Motor Manufacturing Corporation U.S.A. by *Womack, *Cooper, *Harper.

Senate Joint Resolution No. 728 -- Memorials, Sports - Trezevant High School varsity cheerleaders, American Open National Competition Medium Varsity Division winners. by *Kyle.

Senate Joint Resolution No. 729 -- Memorials, Academic Achievement - Sarah Rush Haley, Salutatorian, MAHEA. by *Kyle.

Senate Joint Resolution No. 730 -- Memorials, Academic Achievement - Jeremy Robert Collum, Salutatorian, MAHEA. by *Kyle.

Senate Joint Resolution No. 731 -- Memorials, Academic Achievement - James Robert Lamar, Co-Salutatorian, Gateway Christian School. by *Kyle.

Senate Joint Resolution No. 732 -- Memorials, Academic Achievement - Susan Blair McKinney, Valedictorian, Gateway Christian School. by *Kyle.

Senate Joint Resolution No. 733 -- Memorials, Academic Achievement - Colin David Duff, Salutatorian, Gateway Christian High School. by *Kyle.

Senate Joint Resolution No. 734 -- Memorials, Academic Achievement - Mindy Kaye Boyd, Valedictorian, Gateway Christian School North. by *Kyle.

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Senate Joint Resolution No. 735 -- Memorials, Academic Achievement - Kristina Jeanne McCommon, Salutatorian, Gateway Christian School South. by *Kyle.

Senate Joint Resolution No. 736 -- Memorials, Academic Achievement - Tauresha Earlvannia Montgomery, Valedictorian, Raleigh-Egypt High School. by *Kyle.

Senate Joint Resolution No. 737 -- Memorials, Academic Achievement - Tequila Lanese Brown, Salutatorian, Raleigh-Egypt High School. by *Kyle.

Senate Joint Resolution No. 738 -- Memorials, Academic Achievement - Minh Chau Pham, Salutatorian, Treadwell High School. by *Kyle.

Senate Joint Resolution No. 739 -- Memorials, Academic Achievement - Ana Lourdes D. Alip., Salutatorian, Treadwell High School. by *Kyle.

Senate Joint Resolution No. 740 -- Memorials, Academic Achievement - Alicia Cooper, Valedictorian, Craigmont High School. by *Kyle.

Senate Joint Resolution No. 741 -- Memorials, Academic Achievement - Shannen Dee Williams, Salutatorian, Craigmont High School. by *Kyle.

Senate Joint Resolution No. 743 -- Memorials, Death - Mary Jones, founder, Tennessee Breast Cancer Coalition. by *Harper.

Senate Joint Resolution No. 745 -- Memorials, Recognition - 10th Armored Division, 2000 Reunion. by *Burchett.

Senate Joint Resolution No. 748 -- Memorials, Retirement - Judy Wahlstrom. by *Haynes, *Henry, *Rochelle.

Senate Joint Resolution No. 749 -- Memorials, Public Service - Sam Riley. by *Herron.

Senate Joint Resolution No. 750 -- Memorials, Professional Achievement - Sharon Pickering, "Teacher of the Year," Johnson City School System. by *Crowe.

Rep. Jackson moved that all members voting aye on House Joint Resolution No. 435 be added as sponsors, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.....	97
Noes	0
Present and not voting	1

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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

Representatives present and not voting were: Cooper -- 1.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 3072 -- Public Health and Health Care - Authorizes patients of HMO with life threatening condition to begin independent review process without completing internal appeals procedure; revises fee to begin independent review process from \$50.00 to \$15.00; makes fee refundable if patient prevails in independent review process. Amends TCA Section 56-32-227. by *Kisber. (*SB3039 by *Rochelle)

Further consideration of House Bill No. 3072 previously considered on April 10, 2000, at which time it was reset for today's Calendar.

Rep. Kisber moved that **House Bill No. 3072** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

MONDAY, MAY 1, 2000 – SEVENTY-THIRD LEGISLATIVE DAY

House Bill No. 2320 -- Workers' Compensation - Changes date for triggering operation of direct assignment plan or of the competitive fund from 7/1/00 to 7/1/01; changes date for advisory council's report on assigned risk plan from 1/15/00 to 1/1/01. Amends TCA Title 38, Chapter 6; Title 50, Chapter 6; Title 50, Chapter 9; Title 50, Chapter 3; Title 56, Chapter 5 and Title 56, Chapter 47. by *Kisber. (*SB2381 by *Clabough)

BILL RE-REFERRED

Rep. Kisber moved that House Bill No. 2320 be re-referred to the House Finance Ways and Means Committee, which motion prevailed.

REGULAR CALENDAR, CONTINUED

House Bill No. 3067 -- Financial Disclosure - Deletes maximum aggregate contribution limit of 50 percent of total contributions for offices elected by statewide elections and \$75,000 in aggregate for any other state or local public office which candidates may accept from multicandidate political campaign committees for each election. Amends TCA Title 2, Chapter 10. by *Kisber. (*SB2738 by *Rochelle)

Rep. Kisber moved that House Bill No. 3067 be reset for the Regular Calendar on May 8, 2000, which motion prevailed.

***House Bill No. 2027** -- Real Property - Requires seller to specify whether property to be transferred is site-built home, modular home or trailer for purposes of residential property disclosure law; exempts from residential property disclosure law transfers from debtor in Chapter 7 or 13 bankruptcy to creditor or third-party by deed in lieu of foreclosure or quitclaim deed. Amends TCA Title 66, Chapter 5, Part 2. by *Bunch, *Hagood. (SB2220 by *Miller J)

***House Bill No. 2025** -- Traffic Safety - Allows local boards of education to set longer period for school speed zones around schools. Amends TCA Section 55-8-152. by *Bunch, *Newton. (SB2226 by *Miller J)

On motion, House Bill(s) No(s). 2027 and 2025 were reset for the Regular Calendar on May 8, 2000, which motion prevailed.

House Bill No. 2594 -- Election Laws - Enacts "Fair Ballot Access Act of 2000"; requires independent candidate, upon request, to be listed on ballot under name of political party affiliation which is other than state-wide political party whose name does not resemble state-wide party upon certification that candidate was nominated by assembly of that party at least 30 days prior to election. Amends TCA Section 2-5-208. by *Kerr, *Rinks. (*SB2149 by *Burchett)

Rep. Kerr moved that House Bill No. 2594 be reset for the Regular Calendar on May 4, 2000, which motion prevailed.

MONDAY, MAY 1, 2000 – SEVENTY-THIRD LEGISLATIVE DAY

House Bill No. 2855 -- Corporations, Not for Profit - Redefines "multi-family housing facilities", for purposes of housing facility corporations, to remove requirement that family units be qualified for 501(c)(3) bonds. Amends TCA Section 48-101-301. by *Bowers. (*SB2859 by *Cohen)

Rep. Bowers moved that House Bill No. 2855 be passed on third and final consideration.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2855 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 48-101-301(12), is amended by deleting item (12) and by substituting instead the following:

(12) "Multi-family housing facilities" or "Multi-family residential units" for a project in the case of a housing facility may include or consist of single family structures, on contiguous or non contiguous sites;

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Bowers moved that **House Bill No. 2855**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Buck, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

MONDAY, MAY 1, 2000 – SEVENTY-THIRD LEGISLATIVE DAY

House Bill No. 2854 -- Housing - Redefines "project" under special corporations statute to remove requirement that project's bonds could only be sold to certain federal government sponsored mortgage entities for certain housing projects in Shelby County. Amends TCA Section 48-101-301. by *Bowers. (*SB2809 by *Cohen)

Rep. Bowers moved that House Bill No. 2854 be passed on third and final consideration.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2854 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 48-101-301(14)(G), is amended by deleting subitem (G) and replacing it with the following subitem (G):

(G) Project, in the case of a housing facility, also means single family residential units for lease and/or purchase, where such units are financed by a for-profit, not-for-profit or governmental entity or any combination of such entities.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Bowers moved that **House Bill No. 2854**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

MONDAY, MAY 1, 2000 – SEVENTY-THIRD LEGISLATIVE DAY

***House Bill No. 3016** -- Insurance Companies, Agents, Brokers, Policies - Enacts "The Life Settlements Act." Amends TCA Title 48, Chapter 2, Part 1, and Title 56. by *Bowers. (SB3089 by *Dixon)

On motion, House Bill No. 3016 was made to conform with **Senate Bill No. 3089**; the Senate Bill was substituted for the House Bill.

Rep. Bowers moved that Senate Bill No. 3089 be passed on third and final consideration.

On motion, Rep. Kernell withdrew Government Operations Committee Amendment No. 1.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1 as House Amendment No. 2.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 3089 by deleting in its entirety subdivision (e)(3) of Section 5 of the introduced bill and by substituting instead the following language:

(3) viatical settlement representative - two hundred dollars (\$200.00).

On motion, Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 3 was adopted.

Rep. Bowers moved that **Senate Bill No. 3089**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 3013** -- Probation and Parole - Requires that defendant on probation for misdemeanor be supervised by probation services used by county instead of by board of probation and parole; removes authorization for court to order defendant to be supervised by any public or private agency, program or association established for purpose of supervising defendants convicted of misdemeanors. Amends TCA Section 40-35-302. by *McKee. (SB3085 by *Clabough)

Rep. McKee moved that House Bill No. 3013 be passed on third and final consideration.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

REGULAR CALENDAR, CONTINUED

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3013 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-35-302, is amended by deleting subsection (f) in its entirety and substituting instead the following:

(f) The general sessions courts shall not place a defendant who is convicted of a misdemeanor on probation under the supervision of the state board of probation and parole. Nothing in this subsection is intended to restrict the use, where necessary, of any county probation service or private probation company established for the purpose of supervising defendants convicted of misdemeanors, unless such offender is currently being supervised by the state board of probation and parole on a felony offense.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. McKee moved that **House Bill No. 3013**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	93
Noes	0
Present and not voting	2

MONDAY, MAY 1, 2000 – SEVENTY-THIRD LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Brooks, DeBerry L. -- 2.

A motion to reconsider was tabled.

House Bill No. 2683 -- Codes - Allows facilities owner or operator to temporarily reconfigure available bathrooms for estimated number of men and women at particular event if the ratio of men to women attendees is different than 1:1. Amends TCA Title 68, Chapter 120, Part 5. by *Chumney, *Bone, *Beavers. (*SB2685 by *Cohen)

Rep. Chumney moved that House Bill No. 2683 be reset for the Regular Calendar on May 8, 2000, which motion prevailed.

House Bill No. 387 -- Sunset Laws - Aquaculture advisory board, June 30, 2007. Amends TCA Title 4, Chapter 29, and Title 43, Chapter 33. by *Kernell, *Garrett, *Brooks. (*SB136 by *Springer, P)

Rep. Kernell moved that House Bill No. 387 be passed on third and final consideration.

Rep. Garrett moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 387 By adding the following as a new section to precede the effective date section:

SECTION _____. The chair or the designee of the chair of the aquaculture advisory board shall deliver a brief presentation annually to the house agriculture committee. Such presentation shall include information regarding the accomplishments of the board for the prior year, a summary of the board's objectives for the upcoming year, and a statement of issues which are of interest and concern to the board.

On motion, Government Operations Committee Amendment No. 1 was adopted.

Rep. Kernell moved that **House Bill No. 387**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

MONDAY, MAY 1, 2000 – SEVENTY-THIRD LEGISLATIVE DAY

Ayes..... 97
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eccles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 2412 -- Sunset Laws - Terminates Tennessee neighborhood development corporation. Amends TCA Title 4, Chapter 29 and Title 13, Chapter 13. by *Kernell, *Garrett, *Brooks. (*SB2111 by *Springer, P)

On motion, House Bill No. 2412 was made to conform with **Senate Bill No. 2111**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that Senate Bill No. 2111 be reset for the Regular Calendar on May 8, 2000, which motion prevailed.

House Bill No. 2418 -- Sunset Laws - Chickasaw trail economic development authority, June 30, 2008. Amends TCA Title 4, Chapter 29, and Title 13, Chapter 2. by *Kernell, *Garrett, *Brooks. (*SB2106 by *Springer, P)

On motion, House Bill No. 2418 was made to conform with **Senate Bill No. 2106**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that Senate Bill No. 2106 be reset for the Regular Calendar on May 8, 2000, which motion prevailed.

House Bill No. 2428 -- Sunset Laws - Panel on health care facility penalties, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 11. by *Kernell, *Garrett, *Brooks. (*SB2093 by *Springer, P)

On motion, House Bill No. 2428 was made to conform with **Senate Bill No. 2093**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that Senate Bill No. 2093 be passed on third and final consideration.

On motion, Rep. Garrett withdrew Government Operations Committee Amendment No. 1.

MONDAY, MAY 1, 2000 – SEVENTY-THIRD LEGISLATIVE DAY

Rep. Kernell moved that **Senate Bill No. 2093** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 93
Noes..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh – 93.

A motion to reconsider was tabled.

House Bill No. 2441 – Sunset Laws - State volunteer advisory board, board of probation and parole, June 30, 2002. Amends TCA Title 4, Chapter 29 and Title 41, Chapter 10. by *Kernell, *Garrett, *Brooks. (*SB2192 by *Springer, P)

BILL RE-REFERRED

Rep. Kernell moved that House Bill No. 2441 be re-referred to the House Committee on Calendar and Rules, which motion prevailed.

REGULAR CALENDAR, CONTINUED

House Bill No. 2060 -- Sunset Laws - State volunteer advisory board, June 30, 2008. Amends TCA Title 4, Chapter 29, and Title 41, Chapter 10. by *Kernell, *Garrett, *Brooks. (*SB2014 by *Springer, P)

BILL RE-REFERRED

Rep. Kernell moved that House Bill No. 2060 be re-referred to the House Committee on Calendar and Rules, which motion prevailed.

REGULAR CALENDAR, CONTINUED

House Bill No. 2420 – Sunset Laws - Board of employee assistance professionals, June 30, 2008. Amends TCA Title 4, Chapter 29, and Title 62, Chapter 42. by *Kernell, *Garrett, *Brooks. (*SB2108 by *Springer, P)

Rep. Kernell moved that House Bill No. 2420 be passed on third and final consideration.

MONDAY, MAY 1, 2000 – SEVENTY-THIRD LEGISLATIVE DAY

Rep. Garrett moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2420 By deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-225(a), is amended by adding a new item thereto, as follows:

() Board of employee assistance professionals, created by Section 62-42-102;

On motion, Government Operations Committee Amendment No. 1 was adopted.

Rep. Kernell moved that **House Bill No. 2420**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 2059 -- Sunset Laws - Tennessee emergency management agency, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 58, Chapter 2. by *Kernell, *Garrett, *Brooks. (*SB2023 by *Springer, P, *Dixon)

On motion, House Bill No. 2059 was made to conform with **Senate Bill No. 2023**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that Senate Bill No. 2023 be passed on third and final consideration.

Rep. Garrett moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2023 by adding the following as a new section to precede the effective section:

SECTION ____ Tennessee Code Annotated, Title 58, Chapter 2, Part 1, is amended by adding a new section thereto, as follows:

Section ____ The Tennessee emergency management agency shall deliver a copy of any suspension letter to the member of the senate and the member of the house of representatives who represents such area, and to the principal officer of the local legislative body of the county and municipality, if applicable. Such notice shall contain the date of suspension, the amount of suspension, reasons for the suspension, and the length of suspension. For the purposes of this section, "suspension" shall include the suspension of any federal funds or state funds that are related to the emergency management program. A suspension letter shall include a synopsis of the following:

- (1) Task forecast agreement;
- (2) Quarterly activity reports;
- (3) Plans;
- (4) Training;
- (5) Exercises;
- (6) Public awareness;
- (7) RADEF equipment checked;
- (8) Emergency and missions;
- (9) Administrative;
- (10) Mitigation programs;
- (11) Personnel and facilities; and
- (12) Effectiveness.

On motion, Government Operations Committee Amendment No. 1 was adopted.

Rep. Kernell moved that **Senate Bill No. 2023**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 96
Noes 0

MONDAY, MAY 1, 2000 – SEVENTY-THIRD LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 1679 -- Licenses - Creates acupuncture licensing board; sets standards and processes for licensing of individuals to practice acupuncture and to be acupuncture detoxification specialists Amends TCA Title 4, Chapter 29 and Title 63. by *Kernell, *Jones, S.. (*SB1721 by *Dixon, *Ford J)

On motion, House Bill No. 1679 was made to conform with **Senate Bill No. 1721**; the Senate Bill was substituted for the House Bill.

Rep. Kernell requested that Senate Bill No. 1721 be moved to the heel of the Calendar.

***House Bill No. 2159** -- Custody and Support - Creates absolute judicial immunity for guardian ad litem representing minor child's interest in custody dispute. Amends TCA Title 36, Chapter 4, Part 1. by *Bunch. (SB2233 by *Miller J)

Further consideration of House Bill No. 2159 previously considered on April 13, 2000, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

On motion, House Bill No. 2159 was reset for the Regular Calendar on May 8, 2000, which motion prevailed.

House Bill No. 3295 -- Rockwood - Subject to local approval, makes various revisions to charter relative to elections, fines and contracts. Amends Chapter 327 of the Acts of 1903; as amended. by *Ferguson. (SB3276 by *Davis L)

Further consideration of House Bill No. 3295 previously considered on April 13, 2000, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

On motion, House Bill No. 3295 was reset for the Regular Calendar on May 15, 2000, which motion prevailed.

MONDAY, MAY 1, 2000 – SEVENTY-THIRD LEGISLATIVE DAY

***Senate Bill No. 2847** -- Mental Retardation - Requires department of mental health and mental retardation to make available home and community-based support to certain number of Tennesseans with mental retardation and other development disabilities for the next five fiscal years. Amends TCA Section 71-5-1408. by *Dixon, *Fowler, *Burks. (HB2523 by *Eckles, *Walker (Rhea), *Lewis, *Bowers, *Turner (Hamilton))

Further consideration of Senate Bill No. 2847 previously considered on April 13, 2000, at which time the House adopted Amendment(s) No(s). 2 and 3 and reset the bill for today's Calendar.

Rep. Eckles moved that Senate Bill No. 2847 be reset for the Regular Calendar on May 8, 2000, which motion prevailed.

House Bill No. 2867 -- Equalization Board - Changes criteria for two members appointed by governor to board of equalization and requires that such members not be affiliated with any local, state or federal government. Amends TCA Title 4. by *Miller L. (*SB2459 by *Ford J)

Further consideration of House Bill No. 2867 previously considered on April 10, 2000 and April 17, 2000, at which time it was reset for today's Calendar.

Rep. Miller moved that House Bill No. 2867 be reset for the Regular Calendar on May 15, 2000, which motion prevailed.

***House Bill No. 2378** -- Pharmacy, Pharmacists - Allows pharmacists to perform laboratory tests under certain circumstances. Amends TCA Section 63-10-404. by *Rhinehart. (SB2768 by *McNally)

Further consideration of House Bill No. 2378 previously considered on April 12, 2000 and April 19, 2000, at which time it was reset for today's Calendar.

Rep. Rhinehart moved that House Bill No. 2378 be reset for the Regular Calendar on May 8, 2000, which motion prevailed.

***Senate Bill No. 1721** -- Licenses - Creates acupuncture licensing board; sets standards and processes for licensing of individuals to practice acupuncture and to be acupuncture detoxification specialists Amends TCA Title 4, Chapter 29 and Title 63. by *Dixon, *Ford J. (HB1679 by *Kernell, *Jones, S.)

Further consideration of Senate Bill No. 1721 previously considered on today's Calendar at which time the Senate Bill was substituted for the House Bill.

Rep. Garrett requested that Government Operations Committee Amendment No. 1 be placed at the heel of the Amendments.

On motion, Rep. Armstrong withdrew Health and Human Resources Committee Amendment No. 1 as House Amendment No. 2.

MONDAY, MAY 1, 2000 – SEVENTY-THIRD LEGISLATIVE DAY

Rep. Armstrong moved adoption of Health and Human Resources Committee Amendment No. 2 as House Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 1721 as amended by House Health and Human Resources Committee Amendment 1, by deleting SECTION 4(a)(1) and by substituting instead:

(1) Physicians licensed under Title 63, Chapter 6 or 9, nor shall any part of this act be construed so as to prevent the practice of acupuncture by such physicians or to prevent such physicians from using the title "Acupuncturist"; or

AND FURTHER AMEND by deleting the language "no later than December 31, 1999," in SECTION 7(b);

AND FURTHER AMEND by inserting the following new SECTION 7(c) and renumbering subsequent subsections accordingly:

(c) The committee shall waive the requirements of subsection (a) and an applicant presenting satisfactory evidence to the committee that they held a license in good standing from another state immediately prior to practicing in Tennessee and who has continually practiced in Tennessee since that time shall be granted certification by the board.

AND FURTHER AMEND Section 14 by deleting the figures "2001" wherever they appear and substituting instead the figures "2002";

and further amend Section 15 by deleting the figure "2000" and substituting "2001".

On motion, Health and Human Resources Committee Amendment No. 2 as House Amendment No. 3 was adopted.

On motion, Rep. Garrett withdrew Government Operations Committee Amendment No. 1.

Rep. Kernell moved that **Senate Bill No. 1721**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. McDonald moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 653 out of order, which motion prevailed.

House Joint Resolution No. 653 -- Memorials, Public Service - John William Smart, Sumner County Commissioner. by * McDonald.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. McDonald, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Hood moved that the rules be suspended for the purpose of introducing House Resolution No. 201 out of order, which motion prevailed.

House Resolution No. 201 -- Memorials, Retirement - Larry Stewart, Principal, Lascassas School. by *Hood.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Hood, the resolution was adopted.

A motion to reconsider was tabled.

ANNOUNCEMENTS

MOTION TO RESET BILLS

Rep. Hargrove moved that all items previously set for a calendar on Wednesday, May 3, 2000 be reset for Thursday, May 4, 2000, which motion prevailed.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 2011: Rep(s). Bunch and Patton as prime sponsor(s).

House Bill No. 2640: Rep(s). Godsey as prime sponsor(s).

House Bill No. 3035: Rep(s). Chumney and Langster as prime sponsor(s).

House Bill No. 3109: Rep(s). Head as prime sponsor(s).

House Bill No. 3320: Rep(s). Newton as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Davis (Washington) was/were removed as sponsor(s) of **House Bill No. 2361**.

MESSAGE FROM THE SENATE

May 1, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2408; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 1, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2581; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

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MESSAGE FROM THE SENATE

May 1, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2546; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 1, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2720; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 1, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3178; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 1, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2770; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

ENGROSSED BILLS

May 1, 2000

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 387, 2420, 2429, 2684, 2854, 2855, 3013, 3072, 3315, also, House Joint Resolution(s) No(s) 435, 558, 575, 621 and 653.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 1, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3055; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 1, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3168; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 1, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1932; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 1, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3252, 3305 and 3309; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 1, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2840, 2960 and 3022; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

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RECESS MOTION

On motion of Rep. Hargrove, the House stood in recess until 9:00 a.m., Thursday, May 4, 2000.